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FACSIMILE COVER LETTER

To: Group Art Unit 1647
Firm: U.S. Patent and Trademark Office
Facsimile: (703) 872-9306
From: Thomas J. Kowalski (Reg. No. 32,147)
Grace L. Pan (Reg. No. 39,440)

Date: December 7, 2004
Re: Application No. 09/862,404
FLH Reference No. 144002-2001

Number of Pages: 18
(including cover page)

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is a Request for Continued Examination, a Petition to Withdraw from Issue, an Information Disclosure Statement, and an Amendment submitted for filing on December 7, 2004 in connection with U.S. Application No. 09/862,404.

Sincerely,

Thomas J. Kowalski
Grace L. Pan

CONFIDENTIALITY NOTICE

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PATENT
144002-2001**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

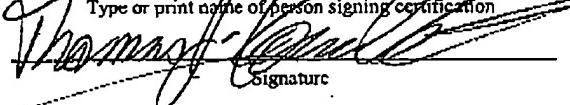
Applicants : Douglas T. Dicterich
 U.S. Serial No. : 09/862,404
 Filing Date : May 21, 2001
 For : **METHOD OF TREATING ANEMIA CAUSED BY RIBAVIRIN
TREATMENT OF HEPATITIS C USING ERYTHROPOIETIN
ALPHA**
 Examiner : Regina M. DeBerry
 Art Unit : 1647

745 Fifth Avenue
New York, NY 10151**FACSIMILE**

I hereby certify that this paper is being facsimile transmitted to the
Patent and Trademark Office on the date shown below.

Thomas J. Kowalski, Reg. No. 32,142

Type or print name of person signing certification



Signature

December 7, 2004

Date of Signature

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PRELIMINARY AMENDMENT

Mail Stop Patent Application
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Prior to examination, kindly amend the application, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows. This Amendment is being filed with a Request for Continued Examination and a Petition to Withdraw. It is believed no fee is required. However, the Commissioner is authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 50-0320.